

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Criminal Writ Petition No. 489 of 2007 (M/B)

Devraj Bhatt s/o Shri Jai Ballabh Bhatt,
R/o Tapovan, Police Station Munikerati,
District Tehri Garhwal Petitioner

Versus

1. State of Uttarakhand through Home Secretary,
Secretariat, Uttarakhand, Dehradun.
 2. Station House Officer,
Police Station Munikerati,
District Tehri Garhwal
 3. Inspector, Local Intelligence Unit, Tehri,
District Tehri Garhwal Respondents
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Sri Vinod Sharma, Advocate for the petitioner.

Sri G.S.Sandhu, Government Advocate for the respondents.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.

Hon'ble J.C.S. Rawat, J.

RAJEEV GUPTA, C. J. (Oral)

Sri Vinod Sharma, Advocate for the petitioner.

Sri G.S.Sandhu, Government Advocate for the respondents.

They are heard on admission.

2. Petitioner Devraj Bhatt has filed this writ petition for the following reliefs:

“I) Issue a writ, order or direction in the nature of certiorari to quash First Information Report (Annexure No. 1) dated 22.04.2007, in Case Crime No. 342/2007, Under Section 420, 467, 468, 471 I.P.C. Police Station Munikerati, District Tehri Garhwal, against the petitioner.

II) Pass any other and further order, as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

(iii) Award the cost of the petition to the petitioner.”

3. According to the First Information Report lodged against the petitioner, it is alleged that petitioner Devraj Bhatt, in spite of being a Nepali citizen, obtained an Indian Passport by furnishing false and incorrect information and thereby committed the offences alleged against him.

4. On due consideration of the submissions of the learned counsel for the parties and the contents of the First Information Report, we are of the opinion that no case warranting quashing of the First Information Report and the case registered against the petitioner is made out.

5. We are refraining from commenting on the merits of the case lest it may adversely affect the petitioner's case at the trial, which the petitioner is yet to face.

6 The writ petition, therefore, is liable to be dismissed and is hereby dismissed summarily.

(J.C.S. Rawat, J.)
03.05.2007

(Rajeev Gupta, C.J.)
03.05.2007

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